

OXFORD

MAGAZINE

No. 436 Second Week Michaelmas Term 2021

When the Employer Justified Retirement Age was introduced in Oxford in 2011 in response to the anti-age discrimination provision of the Equality Act 2010 it was envisaged that the effectiveness of the scheme would need to be assessed after 10 years; only then would sufficient relevant data have been accumulated to judge if its aims were being met. It was something of an experiment and in light of its effects one option might be to abandon it. Only Cambridge and St Andrews have followed Oxford and all other UK universities have managed well enough without it. The 10-year review is now underway. Should the EJRA be ditched and, if so, what would the alternative look like?

There was an interim review 5 years ago, which essentially endorsed procedural changes already introduced in the wake of severe criticisms of the scheme in a report (by the High Court judge, Dame Janet Smith) following a successful internal appeal hearing where an academic challenged the University's refusal to grant an extension to his employment beyond retirement age, the possibility of temporary extensions being an important concession within Oxford's scheme. The Report of the 5-year

EJRA crunch-time

review revealed that more than half of the senior academics approaching the retirement age of 67 had applied to extend their employment and that some 90% were successful.

Major problems have followed. In order to achieve its primary aim of freeing up career posts for younger academics – an issue of ever increasing importance as the impact of casualisation becomes clearer – it has been a requirement that when applying for extensions the retirees negotiate new temporary posts for the extension periods and that, in order to contain

University costs, these are 'self-funding'. Regarding funding, the University does not necessarily support or permit external grant applications after the retirement age. As the 5-year review pointed out, the operation of the extension scheme potentially discriminates against the humanities where funding is not available in the way it is for the sciences: "It was hoped that other ways could be found to support those working in areas of the Humanities or other areas in which less grant funding is available, so that they can, when appropriate, identify a suitable source of funding and make a case for extended employment." (p 27)

Further problems have emerged even in the sciences.

Oxford Magazine publication arrangements

We are unable to publish the *Oxford Magazine* in print for the foreseeable future, as a result of COVID19-related working restrictions. Arrangements for archival copies will be made at a later date.

We will continue to publish online editions of the *Oxford Magazine* and send emails to our online subscribers. We will also send emails to our print subscribers, where we have an email address for them, so that they continue to receive the *Magazine* in an available format.

If you are a print subscriber and do not wish to receive such emails, please visit www.staffsubs.ox.ac.uk and cancel your subscription.

If you would like to set up a new email subscription, please visit www.staffsubs.ox.ac.uk if you are a current member of staff; otherwise, please email gazette@admin.ox.ac.uk.

INSIDE

● LEARNING LANGUAGES
Page three

● THE EJRA
Pages five, eight

● THE NEXT V-C
Page nine

...and much more

In two cases where extensions were denied (and internal appeals had also failed) the individuals took their case to Employment Tribunals and the judgments went against the University (*Oxford Magazine*, No. 417, 5th Week, HT 2020). One result was further (public) criticism of the University's decision-making processes and poor collecting of data, as well as of the proportionality of the EJRA itself. Articles in this issue of the *Magazine* point out the very considerable legal costs and potential reputational damage involved. A third Tribunal appeal involving an academic in the humanities failed. It remains to be seen whether the University or the individuals concerned resort to yet higher courts in future.

It would be interesting to know whether, in seeking to avoid further Employment Tribunal challenges, the University's approach to granting extensions has been affected by these test cases. The pressure to retain high ranking senior scientists in substantive posts is considerable; not only is their research world-leading but in their case funding is relatively easy to find and the jobs of large support teams tend to be on the line. An unknown number have been extended multiple times while retaining their University post, so undermining the aims of the EJRA. The fairness of the value judgements involved in such decisions is inevitably open to question.

Implicit in our EJRA scheme there seems to be a claim that this university is in some way significantly different from the majority of other UK universities – especially the successful Russell Group research universities – that do not operate an EJRA. The 10-year review will need to answer the following questions. How is Oxford different? How do those other universities manage to unblock posts so as free up jobs for younger career academics and how do they handle possible extensions? Could Oxford not do the same while avoiding the complexity, costs and potential unfairnesses involved in the EJRA? Colleagues in grades below 8 are not subject to the EJRA; how does the University manage fair retirement in such cases in the longer term interests of the institution and are financial inducements involved?

In Oxford the 10-year history of the EJRA – though apparently not in Cambridge or St Andrews – has been remarkably contentious and has been extremely costly in financial terms to the University as well as to the individuals involved in appeals. Since 2015 the EJRA has applied only to members of Congregation and, among these, only those approaching retirement age are likely to have taken much interest in it. But all younger members need to remember that they are in line eventually to come up against EJRA. Its implications are likely to increase as the need to top up pensions (a gender-sensitive issue) or pay off mortgages increases and, with increasing life expectancy, as working lives naturally lengthen.

It has been pointed out – for example in the Waller judgment and in the ET hearings – that the ultimate decision on upholding the EJRA policy is a matter for Congregation, but that at the time that the 5-year review was debated Congregation's access to all the relevant information had been curtailed by the University's refusal to publish the earlier Smith report on grounds of legal privilege (it had been partially leaked a year earlier by the appellant in-

volved; *Oxford Magazine*, No. 355, 0th Week, HT 2015). The chaotic process by which the review was brought to Congregation for approval, in the words of the *Magazine* editorial at the time, "trivialised" Congregation (*Oxford Magazine*, No. 384, 2nd Week, TT 2017).

Putting aside the limitations of the 5-year review the single most important requirement for the 10-year review is to provide all the information necessary for Congregation to make a proper assessment of the value of the EJRA. All the data must be made available well in advance to allow full consideration – preferably in a Discussion meeting – before any final decision by Congregation. The data should include the total costs (in legal fees, administration and settlements) incurred so far in defending the EJRA; how many extensions have been granted and on what terms (e.g. what forms of job description, how costed and how paid for); how many statutory/substantive posts have been extended; how many internal appeals have been heard and with what results? The review ought also to consider whether the new panel system for hearing internal appeals is working satisfactorily and fairly.

In the end Congregation will need to judge on the proportionality question; whether the adverse consequences of the EJRA are sufficiently compensated by the fulfillment of its theoretically desirable aims. This is going to be a very complex judgement given that, where staff turnover is concerned, cause and effect are subject to many confounding variables. In the end it may all come down to this: do we prefer to have retirement decisions defined and accountable – in so far as the EJRA achieves this – rather than to leave such matters to well hidden performance management mechanisms that potentially apply in other universities and that might replace the EJRA in Oxford?

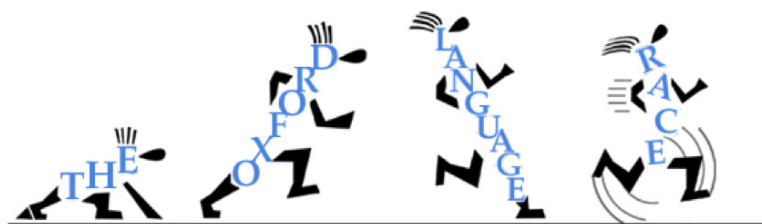
Congregation is sovereign in determining EJRA policy. Membership of Congregation is itself age limited and is therefore 'ageist'. Cambridge has recently abolished the age limit to membership of Regent House and the 10-year review can hardly avoid addressing the issues arising. There is little evidence in the remit of the review that the views and experience of recent retirees will be given any serious attention. And yet many of the untoward consequences of the EJRA might be alleviated if the University had a properly articulated policy for life in the University after retirement (see Editorial, *Oxford Magazine*, No 415, 0th Week, HT 2020). Like alumni retirees need to be represented and heard.

At present retirees wishing to continue teaching or research can apply for (but may not necessarily be awarded) "honorary" status. Even then they may be subject to considerable (e.g. "bench") charges and may need a sponsor to whom they are responsible. The provision for retirees is highly variable between departments; retired members are sometimes made welcome and dedicated facilities provided for them, ignored entirely in other cases. You might have thought that the University would want to acknowledge the advantages to be gained from the fruits of experience of willing retirees eager to continue engagement in University life and affairs. The opposite is seemingly the case.

B.B., T.J.H

The European Year of Languages 2001 and The Oxford Language Race 20 years on

ROBERT VANDERPLANK



Twenty years ago, in 2001, the Council of Europe (which the UK is still a member of), together with the European Commission, launched the European Year of Languages, a year full of events in member countries celebrating linguistic diversity and multilingualism. One of Oxford University's contributions to the year was The Oxford Language Race, an event organized by the Language Centre, designed to show the talent and language learning ability of Oxford students and staff. The event was a great success but twenty years on, are we still celebrating language learning? Has the enthusiasm for language learning, sparked by the race and the EYL, endured and prospered? Do we still need events like The Oxford Language Race?

On May 9th, 2001, thirty-two competitors, Oxford students and staff, each representing a different college, assembled at the Taylorian lecture hall to be allocated one of twenty languages they were to learn from scratch and to witness Sir Colin Lucas, then Vice-Chancellor, raise his hand and fire the (metaphorical) starting gun.

The idea for a race came from a special Language Centre course we had developed the year before. I was Director of the Language Centre at the time and received a request from the Medical School for a course for clinical medical students who would be going on placements in Latin American countries. We would be able to have those who signed up for the special Spanish course for a month, during which time, they could concentrate on learning Spanish with few other commitments. The students were beginners and we devised a programme of morning classes followed by individual and group work. At the end of the month, each student had to give a short, slide-based (overhead projector slides in those days) presentation on some aspect of medicine in Latin America in Spanish to two Medical School assessors. The presentations I attended were breathtakingly good and showed what could be achieved in a relatively short time by commitment, effort, a clear goal and an ability to apply their existing learning skills to language learning.

When thinking about how the Language Centre could contribute meaningfully to the EYL, I wanted to celebrate

the fact that there were wonderfully talented language learners at Oxford and to showcase the diversity and tradition of language learning throughout the University, with its rich collections of materials for independent learning. The course for the medical students provided me with just the model we needed to create the Oxford Language Race. If medical students could achieve such progress in one month, then why not hold a race to see how far other Oxford students and staff could get in one month learning a language of which they had no previous knowledge?

In January, 2001, I wrote to colleges outlining my proposal for the race and inviting them to sponsor one or two people to represent their colleges. Each participant would be allocated a language which they did not know to learn from scratch. On an appointed day in Trinity Term, they would gather to be given their language to learn and then set off on their language learning run. At the end of the month, runners' progress would be assessed by a panel to see how far they had got.

We also aimed to raise money for *Reading Quest*, a local charity helping struggling young readers, and colleges were asked to pay £50 for each nominee.

As first prize, British Midland International, then an airline with a large network of routes in Europe, agreed to offer two free return tickets to anywhere on their network. The publishers of 'teach yourself' language courses also agreed to provide materials free of charge. The generosity of Routledge and Hodder & Stoughton made a huge difference and meant we were able to offer competitors a very wide range of languages: Basque, Bulgarian, Catalan, Croatian, Serbian, Czech, Danish, Dutch, Estonian, Finnish, Gaelic, Hungarian, Latvian, Lithuanian, Norwegian, Polish, Romanian, Swedish, Turkish, Ukrainian and Welsh. In addition, of course, participants had all the resources and facilities of the Language Centre Library at their disposal. Participants could choose five preferred languages at the time of their nomination.

Once the competitors had set off, the race generated a great deal of interest both inside and outside the University and colleges. Along with several competitors, I was

invited onto Bill Heine's early morning BBC Radio Oxford programme to talk about the race. Bill asked several competitors to 'say something' in the language they were learning. They didn't trot out 'my name is John/Mary/...' but came up with fluent phrases in their languages and impressed Bill no end.

Other runners were interviewed by Central TV News and one was invited to write a Don's Diary of her language learning experience for the THES. The University Press Office kept in close touch and produced press releases on the race. Word of the race reached other countries; out of the blue, we received Greek language learning materials from an institution in Greece which had heard about the race. The publicity about the race also boosted fund-raising as competitors obtained additional sponsors.

Language Centre staff took up the concept of the race with great enthusiasm and came up with ideas to ensure its success: logos, publicity, information sheets, prompt cards in the target language to help start conversations, weekly lunches, and, when the race was on, a weekly newsletter, *Olara!*, to keep runners informed and their spirits up. A key feature of the race was that the runners didn't have to learn on their own. Volunteer helpers from native-speakers of each language inside and outside the University were invited to link up with competitors to provide support. We invited all competitors and their helpers to weekly lunches at the Language Centre to check how they were getting on and to generate a sense of belonging, as we knew, all too well, that independent language learning can be a lonely business. In many cases, lasting friendships were formed.

At the end of the month, we assessed the progress competitors had made. Each competitor had to hold a ten-minute conversation with a native-speaker of the language and recite a poem of at least twenty lines in the foreign language from memory. All performances were recorded and then assessed on a range of criteria by a small panel with input from native speakers. In the end, judges were able to narrow the final list down to seven outstanding competitors. The winner was Maria Liakata, a Greek D.Phil. student at St. Edmund Hall (but running for Wolfson) who had learnt Ukrainian. Judges felt that Maria had demonstrated that she had learned the most a person could possibly achieve in one month. Runners-up received bilingual dictionaries from OUP.

The announcement of the winner and runners-up was made at an awards ceremony and reception for competitors and their helpers held at Somerville College on June 11, 2001. Professor Paul Slack, the P-V-C for Academic Services and University Collections, and Chair of the Language Centre Committee, presented the awards. Maria Liakata paid tribute to her helper, Alyona Ilyinska, for her key role in contributing to her success and opening her eyes to Ukrainian culture.

As far as I know The Oxford Language Race remains a unique event, one that brought out the strength and value of the collegiate structure, the competitive spirit at Oxford, and, most of all, the talent for language learning that has always been evident among members of the University. Of course, it demanded a great deal from all those involved, competitors, organizers, helpers, assessors and judges, but it proved to be a memorable experience.

So, what did the race achieve in the end? In addition to raising several thousand pounds for *Reading Quest*, it had some remarkable additional payoffs. Soon afterwards, Maria Liakata was offered a scholarship to study Ukrain-

ian on an eight-week summer school at the Ukrainian Institute at Harvard. Some of the runners-up also received grants from their colleges to visit the countries or regions of the languages they had learnt so well.

The most lasting outcome was the creation of fast-paced language courses for Oxford students and staff to complement our existing portfolio of courses. A year after the race, we launched the Oxford Programme in Languages (OPAL), a programme of year-long evening courses for highly motivated and committed learners, supported by colleges. A key feature of OPAL, drawing on the experiences of both the race and the Spanish course for clinical medical students, was that in Trinity Term, the focus was on independent learning; OPAL students worked on a topic in their foreign language and were offered language helpers and workshops instead of formal classes. They then gave presentations on their chosen topic to two assessors, backed up by posters or slide packs as the medical students had done – and just as impressively. Some of the memorable presentations I sat in on over the years included a stunningly good one by an Italian beginner on the films of Nanni Moretti, a moving presentation on health education in Mali by a higher level French learner who was going to spend a year in Mali the following month, and a masterly performance on the historical fact and fiction behind *Le Retour de Martin Guerre* by a graduate historian.

Twenty years on, what remains? The European Year of Languages has lived on through a European Day of Languages, which is held in late September each year under the auspices of the Council of Europe and the European Commission. This year on the Day, 26 September, there were only seven officially recognised events in the UK compared to 51 in France and 76 in Italy. So, do we need another Language Race? The concept behind The Oxford Language Race was that with effort, commitment and support, independent language learners can make great progress in learning a foreign language. In 2001, even at Oxford, there were few successful independent language learners to be found. The books for independent learning were usually rather leaden, often full of grammatical jargon, and the cassette exercises laborious.

Since then, the landscape for independent language learning has changed beyond recognition at Oxford, in Britain and globally, transformed by the availability of foreign language material and the range of resources for contact, discussion and exchange on the internet. All over the world, independent language learners are watching foreign films and programmes not only for entertainment but also to develop their language skills. Global discussion groups may include participants who have developed astonishing levels of skill in foreign languages through participation in these forums. Language learners need no longer be held back by location or facilities as we have seen throughout the pandemic. But perhaps, after Brexit, the ending of the Erasmus scheme for UK students and teachers, and the UK government's preference for links with English-speaking countries, we need events like The Oxford Language Race, which spark imagination, motivation and enthusiasm for language learning, more than ever.

EJRA: the current 10-year Review

G.R.EVANS

A *10-year Review* of the operation of the Employer-Justified Retirement in Oxford is to take place during Michaelmas Term.¹ Its remit is to submit a report and make recommendations, one of which may be that the EJRA should be discontinued entirely. Should it?

A timely consideration must be the judgment of the Employment Appeal Tribunal handed down on 27 September.² This dismissed appeals against two recent decisions on the EJRA by Employment Tribunals. One ET had found in favour of an employee dismissed by the University under the EJRA and the University had appealed against that decision. In that case the procedure for seeking a second extension and its application was in issue. The University's appeal failed and the ET decision stands, though the University could choose to seek to appeal to a higher court still.

The other ET decision was that the University and a College had *not* discriminated unlawfully in dismissing a holder of a conjoint appointment under the EJRA. The appeal against that decision also failed and that ET decision also stands. Like the University, the individual could also appeal to a higher court. But the costs risk to an individual of taking the matter further would be enormous. Costs in such litigation run rapidly up into six figures and can easily approach half a million.

The EAT commented on this outcome because it may seem paradoxical. It explained that it had found that 'although reaching different decisions on proportionality, neither ET erred in law' or 'in the decisions reached'. It recognised that 'it is possible for different ETs to reach different conclusions when considering the same measure adopted by the same employer in respect of the same aims'. However, it did:

'appreciate that it is undesirable for an employer to be faced with what appear to be conflicting ET decisions relating to a particular policy, but we have to keep in mind that our task is not to strive to find a single answer, but to consider whether either ... ET erred in law.'

That seems to leave the University with some unfinished business in deciding the future of its EJRA. The 10-Year Review Group will face the task of weighing the proportionality between the desired outcomes now sufficiently numerous to be assessed and the loss of completion of research projects, the profound distress of some employees dismissed under the EJRA policy, the costs, both financial and in administrative time, and the negative publicity. Among the UK's universities only Oxford, Cambridge and St. Andrews have created an EJRA but Oxford's version seems to have prompted the most litigation so far. If that is true perhaps the Review Group should ask itself why?

In its reasoning the EAT refers comprehensively to the case law, considerably helping the 10-year Review Group in part of its task, which is to collect the data, including 'information on case law and legal aspects of the policy'.

The EAT has provided a detailed chronological account of the creation and operation of the EJRA in Oxford so far, including these challenges. The Council established Oxford's Employer Justified Retirement Age in 2011, promptly after the Equality Act of 2010 had added 'age' to characteristics protected against discrimination.³ This decision came into force from 2011 in Oxford. The EAT details the process, stressing that although Congregation could have challenged the decision of the Council it chose not to do so:

'had there been any significant objection to the EJRA, it would have been open to 20 members of Congregation to put down a motion so as to require a debate, but this did not happen.'

To begin with the University's Appeal Court (normally presided over by a senior member or retired member of the judiciary) provided an avenue of recourse for those who failed to be granted an extension on application under the EJRA. The EJRA was successfully challenged in the internal Appeal Court in 2014 by the academic lawyer Denis Galligan. Dame Janet Smith held in his favour in September 2014, including in her judgment robust criticisms of procedural flaws. Peter Edwards was also successful in the internal Appeal Court in 2017, though a third challenge there by another appellant failed. The University resisted publishing these judgments on the grounds that they were 'confidential' and that they could set no precedent. Nevertheless, they found their way online.

The Smith findings proved sufficiently worrying to prompt a first *Review*. In July 2015 a Working Party was set up to consider the lessons of the first five years of the EJRA's operation; 'the extent to which the EJRA is meeting the Aims identified when the policy was established, and thus can be justified in law'; the age to which it should apply and 'whether the policy is applied to the right staff groups'.⁴

Improvements were made on procedural points which Dame Janet Smith had criticised. Specifically, the application process was changed, 'so that the department and division are no longer asked whether or not they support an individual's application, but only to provide objective comment on certain aspects of it.' No 'reference to the applicant's personal prestige' was to be allowed 'to avoid any appearance that the EJRA panel makes judgements about performance'. From September 2015 the decision was to be focussed 'on the purpose of the extension and how the impact on the aims can be mitigated'. This, it was believed, would lead to an increase in 'the number of vacancies created as a result of the policy', thus assisting it to meet the stated Aims used to justify the University's operation of a policy allowed as an exception within the Equality Act that abolished – on grounds of age discrimination – a fixed default retirement age.

The EAT notes that in the University's appeal before it against the ET's 'Ewart' decision the ET had been troubled by the lack of any evidence as to why the working

group made the recommendations it did in the full five year Review. It had recorded the lack of:

'any report from the working group setting out why they made those recommendations, what the purpose of those recommendations was and what information they took into account in arriving at those recommendations.'

Questioned about this the University had relied on legal privilege, so 'there is then no contemporary document setting out why the working group decided to make these recommendations, and what their purpose and thinking was'. Perhaps the 10-Year Review Group will give a fuller account of the University's reasoning here.

During the conduct of that Review, on 17 May 2016, Congregation debated its own Resolution on 'Good Governance of the University in Relation to the Administration of the EJRA Scheme' calling for suspension of the EJRA pending the publication of the findings of the Review Group. Stephen Goss, speaking as the Pro-Vice-Chancellor responsible, accepted that:

'There are areas of the policy that merit further attention including, for instance, whether the current age of the EJRA remains most appropriate. These and other matters have been referred to the review.'

Denis Galligan, who had published an article revealing some of the text of Dame Janet's internal Appeal Court judgement in the *Oxford Magazine*,⁵ called in debate for the publication of the judgment in his case. UCU opinion was divided, with some members favouring the EJRA on the grounds that it was intended to increase the number of posts available to be filled by younger academics and women, some opposing it on behalf of older academics adversely affected. The Resolution was rejected by Congregation (121:149) in May 2016.⁶ Peter Edwards wrote forcefully on 'Experiencing the EJRA' later that term.⁷

In February 2017, amendments to Statute XII approved by the Privy Council included the removal of the right of resort to the Appeal Court in appeals against EJRA decisions. Those would now have to go to the University Appeal Panel under Council Regulations 1 of 2017.⁸ The Appeal Panel was to be made up of five members of Congregation with legal advice as needed, but affording an avenue of recourse not strictly comparable with consideration by the University's Appeal Court. One appellant, Paul Ewart, was immediately caught by this change, appealing to the Appeal Court only for it to rule that it no longer had jurisdiction, a change on which the EAT commented.⁹

The *Gazette* of 16 February, 2017 carried a Consultative Notice headed *Message from the Vice-Chancellor* in capital letters, announcing the publication of the report of the 5-Year Review of the EJRA. She explained that Council had 'considered the report at its meeting on February 6th' and would 'do so again on March 13th':

'The issue of EJRA poses a particular challenge to a self-governing entity such as ours. We saw this last year with the highly charged debate in Congregation and the subsequent postal ballot supporting the retention of the EJRA.'

She pointed to the need to 'balance many competing and admirable objectives', namely:

'how to demonstrate how much we value those who work here; how to ensure intergenerational fairness; how to ensure that we are providing opportunities for women and minorities to advance at a pace at least commensurate with their advances in other parts of our society; how to ensure that everyone who works here contributes fully and fairly to our collective endeavour; how do we do all this while continuing to attract and retain the most talented academics in the world and maintain our global reputation for excellence in research and teaching.'

The findings of the 5-Year Review Group were duly published. They were debated on 2 May 2017 under the heading 'Statute XIV: Employment of Academic and Support Staff by the University'.¹⁰ Irene Tracy spoke as Chair of the Review Group to stress:

'that the Review Group was entirely independent. It included members of Congregation from each of the academic divisions, from UAS, from GLAM and from the Conference of Colleges. We had two lawyers, and also received advice from Legal Services. We did NOT receive guidance as to what conclusions we should reach from Council or from anyone else. The group consisted entirely of members of Congregation.'

The 5-Year Group proposed to apply the EJRA only to employees at Grade 8 or higher and to move the age-limit from 67 to 68. Two Amendments were debated, 'to raise the age of retirement to 30th September immediately preceding the employee's 70th birthday' and another, after five more years, to move it to 30th September immediately preceding the employee's 71st birthday'. Both were defeated (56:97 in both cases) and the original Resolution therefore went forward for debate, and was approved (104:19).

Later in May 2017 a twofold meeting of Congregation was held in a single afternoon on (1) a Topic for Discussion: 'The future of the EJRA at Oxford' and (2) a Congregation Resolution: 'That the EJRA in the University of Oxford should be abolished'.¹¹ The Resolution was defeated 143:64. A Flysheet circulated in connection with this meeting was published with the *Gazette* on 1 June, urging the retention of the EJRA. It summarised events so far, including the decision of the University's Appeal Court in 2014 which criticised the then procedure, arguing strongly that the procedural flaws had now been remedied.

What should the 10-Year Review do? The justification of Oxford's EJRA was summarised in May 2017 by Judith Maltby, then Chair of the Personnel Committee, who explained that it had been imposed 'in order to ensure continued turnover and refreshment, intergenerational fairness and improved diversity'.¹² The EAT found those aims legitimate, but it looked for proportionality in the effects of their application. It was the 'nature of the proportionality assessment' in the process which led the EAT to conclude that it had been possible for different ETs to reach different conclusions 'when considering the same measure adopted by the same employer in respect of the same aims' without 'error in the decisions reached'.

It seems important for the 10-Year Group now to address the need for much better clarity upon the balance to be struck between achieving acceptable Aims and the adverse consequences for academic staff forced to end employment – and in the case of scientists in particular

– to lose the opportunity to make grant applications to enable them to conclude programmes of research which are sometimes of considerable potential importance, as press coverage of the subsequent work of Professor Edwards after he won his internal Appeal clearly shows.

Statistical analysis is of limited adequacy here. The Flysheet published on 1 June 2017 accepted that statistics were still not yet really available:

*‘Since the EJRA was introduced in 2011 and thus retirement at 67 came into effect in 2013, the Review Group only had data from 2013, 2014 and 2015 to analyse. This was never going to allow it to reach conclusions with statistical significance. Nevertheless, the trends suggest that the EJRA is having a positive impact on our ability to deliver on the policy’s aims.’*¹³

However Paul Ewart’s statistical analysis was found helpful in his ET hearing:

‘In Professor Ewart’s case, a statistical analysis showed the rate of vacancies created by the EJRA was trivial (2-4%); although disputed by the University, the ET found it had not produced sufficient evidence to show the EJRA could contribute to the realisation of the legitimate aims; further finding the discriminatory impact was severe, and not significantly mitigated by the extension provisions, the EJRA was not shown to be proportionate.’

Better statistical analysis by the 10-Year Group is needed now, including any differential impacts on women or other groups, in line with the University’s active equality and diversity policy.

The list of members for the 10-Year Group linked behind SSO to the announcement in the *Gazette* on 1 July 2021 explains that they were appointed variously to ‘represent’ various constituencies in the University, by invitation and nomination. It includes only one ‘recent retiree’ (2016) invited by the Chair of the Personnel Committee. There is a promise that ‘details of how the group will consult Congregation and all University staff will be published in due course’.

¹Dated 25 June, with a Consultative Notice about it in the *Gazette* on 1 July.

²EA-2019-000638-RN and EA-2020-000128-RN, https://assets.publishing.service.gov.uk/media/6151f0d68fa8f5610814546c/Professor_John_Pitcher_v_1_The_Chancellor_Masters_and_Scholars_of_The_University_of_Oxford_2_The_President_and_Scholars_of_the_College_of_Saint_John_The_Baptist_in_The_University_of_Oxford_EA-2019-000638-RN_.pdf

³The retirement age applied to all the University’s staff as set out in Statute XIV, 15.

⁴*Gazette*, 29 September, 2016.

⁵*Oxford Magazine* No. 355, 0th Week, HT 2015.

⁶*Gazette*, Supplement (1) 25 May, 2016.

⁷*Oxford Magazine*, 8th Week TT 2016.

⁸*Gazette*, Supplement (1) 16 November, 2016.

⁹Noted in EAT judgment (93) ‘Although the committee’s decision was made on 16 December 2016, it was not communicated to Professor Ewart until 18 February 2017. That was significant as this was a few days after the University had changed its statutes so that appeals in respect of the EJRA no longer went to the appeal court but to an appeal panel.’

¹⁰*Gazette*, Supplement (1), 10 May 2017.

¹¹*Gazette* (Supplement) 24 May, 2017.

¹²*Gazette*, Supplement (1), 10 May, 2017.

¹³*Gazette*, 1 June, 2017.

The *Oxford Magazine* is edited by

**Tim Horder
&
Ben Bollig**

The *Magazine* normally appears in Noughth, Second, Fifth and Eighth Weeks each Term. Submissions (preferably by e-mail to: tim.horder@dpag.ox.ac.uk, benjamin.bollig@mod-langs.ox.ac.uk) should be received by the Wednesday of the previous week.

Literary Editor:
Jane Griffiths at Wadham

If you would like to subscribe to the

Oxford Magazine

please email
subscriptions@admin.ox.ac.uk

*Subscriptions normally run from
September for a full academic year,
but can be started at any time.*

What next in the EJRA saga – a college view

DAVID PALFREYMAN

This is a saga that must by now have cost the University over £1m in legal fees.

It will be recalled that Professor Pitcher (English) lost his ET where he asserted his employment being terminated arising from the University's operation of its EJRA was unlawful age discrimination and was also an unfair dismissal. And it will be recalled that Professor Ewart (Physics) had won an ET against the University where it was found that the EJRA involved unlawful age discrimination and in addition his dismissal was unfair because the dismissal process itself was procedurally flawed. Both Professor Pitcher and the University have appealed the ET results, except the University did not appeal the finding of unlawful dismissal in Professor Ewart's case and only the finding of unlawful age discrimination. As outlined above by Evans, an EAT in September heard both appeals jointly – Professor Pitcher's appeal was dismissed and also the University's appeal was dismissed.

Thus, the current position seems to be that the EJRA (Version 2 from the 2015 review of the 2011 original EJRA1) is potentially lawful in that it arises from 'legitimate aims' on the part of the University and hence the University can sack elderly academics on grounds of their age (67 in EJRA1, now 68, and perhaps to be 69 by 2022), such discrimination being allowed under the Equality Act 2010 if there are legitimate aims that justify the employer breaching the age discrimination prohibition where the greater good of some forms of positive discrimination in favour of the other 'protected characteristics' covered by the Equality Act 2010 are to be achieved (e.g. gender diversity). But such an EJRA if to be allowed by the Equality Act 2010 has also to be necessary, appropriate, and proportionate in that the gains by way of positive discrimination must outweigh the negative of allowing age discrimination. In the Ewart ET the University failed miserably in not being able to show its EJRA – by creating X amount of extra vacancies – had achieved any significant or proportionate gain by way of Y amount of enhanced diversity in the academic staff profile: it had not collected and analysed any credible data, and indeed the ET found Professor Ewart's own data (a mere 2-4% of extra vacancies with very little change in gender diversity) far more convincing!

As Evans points out, it remains to be seen whether the University will challenge the EAT decision re the contested lawfulness of its EJRA but presumably it will have to accept whatever remedy an ET 'remedies hearing' soon produces for Professor Ewart at least re the ET's finding of unfair dismissal – bearing in mind that the ET finding of unfair dismissal (which the University did not challenge at the EAT) can lead to a payout capped by statute at c£80k but that the ET award for any kind of unlawful discrimination (which the University did challenge at the EAT and lost its appeal in doing so) is unlimited.

Where does this leave the colleges? Back in 2011 they originally as Good Citizens of the Collegiate University went along with the University's pressure for colleges to adopt the EJRA1 template so that joint-appointment academics could be neatly terminated at the same time by the University and the relevant college on reaching 67. That EJRA1 may by now have been replaced by most colleges with the 2015 EJRA2 which was meant to deal with the criticism of Dame Janet Smith (formerly of the real Court of Appeal) in a 2014 rather scathing critique of EJRA1 where she allowed when chairing the University's internal 'Court of Appeal' the appeal of Professor Galligan (Law) against his EJRA dismissal. And another such internal Court of Appeal chaired by retired judge Sir Mark Waller in 2017 allowed the appeal of Professor Edwards (Chemistry) while berating the University for keeping the Smith judgment secret from Congregation when in 2015 it was discussing and voting on proposals to stall the EJRA – the University has since released redacted copies of both these CofA judgements (and bootleg copies were circulating anyway).

Do colleges now continue to rely on EJRA2? I guess that, if they want to use their EJRA2, they need each to spend a lot of money on lawyers to review the EAT decision and to revisit whether they have really conjured up individually a convincing blurb to meet the 'justified' in the acronym EJRA, not only in clearly setting out relevant legitimate aims but especially by way of demonstrating the required necessity, appropriateness, and proportionality as the area which defeated the University in the Ewart ET and its subsequent EAT. I am deeply sceptical that any one college can produce a statistically credible case for such proportionality – and also I think that a college is anyway quite likely to muck up the application of the EJRA2 such that an unfair dismissal results even if the EJRA itself is deemed lawful. Besides which colleges probably should not be spending money on lawyers just yet but be waiting now to see what happens by way of any further legal tussles if the University throws yet more money at lawyers to contest the EAT result and should also await the outcome of the University's scheduled 2021 10-year review of the EJRA concept. Suffice to say that it would be a brave college that wielded its EJRA2 in anger any time soon while the continuing saga of the EJRA has potentially another couple of costly chapters to be complete.

Can the Vice-Chancellorship become Fit for Purpose?

PETER OPPENHEIMER

The Oxford *University Gazette* of 30th September 2021 announced that the Nominating Committee for the Vice-Chancellorship is initiating proceedings to select the next Vice-Chancellor, to assume office in Michaelmas Term 2023. It then invited, in two paragraphs exquisitely repetitive as if for denizens of a junior school, more or less anybody to offer their views on the subject (by email to the Chancellor, please, who Chairs the Committee):

“As part of the recruitment process, the committee is interested in hearing from any member of the University community with views about the role of the Vice-Chancellor, or about the qualities required of potential candidates for the role. The committee is therefore seeking views on the following question:

‘What are your thoughts on the nature of the role of the Vice-Chancellor, and on the background and qualities required of potential candidates for the role, given the likely challenges of the coming decade?’”

Repetitiveness, however, is the least of it. What does the question itself indicate about the relation between the University and its central governance? Even more to the point, can one imagine the University of Oxford adopting such an approach at any previous stage in its 800-plus-year history? It is, in fact, quite a confession. In matters of governance and self-administration the University of Oxford has lost its way. It is fortunate in continuing to attract very good students, high-grade academic staff and conspicuous philanthropy – thanks to the reputation inherited from its forebears. But its important accompanying tradition of democratic policy-formation has over the past twenty years been subverted through the emergence of a 2000-strong central bureaucracy, distorting both the institutional focus (including academic standards) and the allocation of material resources, while enforcing conformity through “performance management” of academic staff.

The main elements of resistance to this subversion are, of course, the autonomous colleges, where democratic decision-taking still obtains, albeit subject to central encroachment. Meanwhile, however, what has become of the handful of senior University officers whose posts have existed for centuries, notably the Vice-Chancellor and the Registrar? One should not be misled by unaltered nomenclature. The last three Vice-Chancellors of Oxford have differed radically from a long line of their predecessors. Strikingly, they have been aliens or outsiders – in two distinct senses of the term. First, at the time of their appointment they did not have a position in Oxford, and were largely unfamiliar with the place; and their appointment was for a term of five-to-seven years. By contrast, their predecessors typically were established figures in Oxford; and served for briefer periods, four years at very most. Secondly, even when in office, to-day’s Vice-Chancellors tend not to be fully in touch with the University. For one

thing, the central bureaucracy in which they are enveloped distances them from academic society. For another thing, they are drawn away from Oxford, sometimes on University business but also because their longer-term career paths and/or family interests may tend – quite understandably – to be centred elsewhere.

The main challenge facing the Nominating Committee, therefore – not in any “coming decade”, but here and now – is to recognise that the change in the position of the Vice-Chancellor from 2000 onwards was a costly mistake and ought not to be perpetuated. The problem is basically one of constitutional design, not of incumbent personalities. And, with a little open-mindedness, solutions are at hand. I discussed the issue earlier this (calendar) year across two *Oxford Magazine* articles, on which I shall draw here: “What to do about the Vice-Chancellorship?” [No. 428, Second Week, Hilary Term 2021], and “The Road to Academic Debasement” [No. 431, Noughth Week, Trinity Term 2021].

For a start, Oxford needs to drop the image of its Vice-Chancellor as a chief executive who has to be recruited from elsewhere. The job is, on the contrary, a matter of facilitation, of non-executive chairmanship, and the occasional public voice of the institution. It should normally be filled by persons who have spent an immediately preceding period of years – at least five and preferably ten – on the University’s academic staff. Actual incumbents, moreover, should remain integrated with the academic workforce, and not feel that they have outgrown it. An unrealistic requirement? Contemporary notions of diversity and of flexible working arrangements supply the natural rejoinder.

The solution is that Oxford’s Vice-Chancellorship should cease to be a single-person continuous full-time job. Its duties should be shared – in ways to be determined – at a minimum between two but preferably among three or four equal-status appointees. The three-person Proctorial team furnishes an obvious analogy, with the difference that its members are in full-time office for just one year, whereas members of the Vice-Cancellarial collective (VCC for short) should fulfil intermittent or part-time responsibilities over a period of five to seven years. Just as Proctors are elected by the colleges in rotation, so should successive members of the VCC be drawn from different parts of the University – by representative nominating bodies (such as groups of faculty boards), not through self-advertisement and balloting. Nor should this preclude Heads of House from being selected. Replacement of individual members of the VCC would sometimes be necessary. Partial buy-outs should be provided to underpin the permanent departmental and college posts of all VCC members – an exceedingly economical arrangement, be it noted.

A likely modest corollary of the change would be an overdue improvement in the quality and self-critical

awareness of the University's public pronouncements. One has only to compare over the past fifteen years the annual Orations of Vice-Chancellors with those of retiring Proctorial teams, the former apparently seeking to justify the author's existence by advertising supposedly sensational achievements of the University, the latter offering quiet commentary, critical if necessary. In the words of a *Guardian* letter-writer, in Britain "it is almost part of the DNA that you don't boast, you don't blow your own trumpet and you do not fill people's ears with rhetoric every few minutes about how wonderful you are."

Creation of the VCC should also stimulate a more general streamlining of the University's governance, beginning with the four (or three non-clinical) academic Divisions. As matters stand, each Division acts as a narrow channel of vertical communication between well-defined academic interests on one side and ill-defined higher authority on the other. Replacing the V-C with a VCC would in effect abolish the higher authority, and make forma-

tion of University policies dependent on direct discussion across Divisional boundaries. Other constructive changes are not hard to envisage, even if they cannot be guaranteed. One is the disappearance of so-called Executive Pro-Vice Chancellors. Another is a transfer of academic personnel functions from central administration to committees of peer-academics.

It would be inappropriate, however, to pursue such speculations at length. What is on the agenda is not comprehensive reform of the University's governance, but the succession to one key post. The Nominating Committee's request for ideas is a tacit acknowledgment that all is not well with the system at large. That itself is a big step forward, which should influence one's response to the request. In turn, the Nominating Committee's next duty is to declare, not implicitly but openly, that the healthy functioning of the University calls for a different type of Vice-Chancellorship from that which was brought into existence a mere twenty years ago.

Eliot's Fifth

V: Thames Ditton

i:

This is the way the world starts
This is the way the world starts
This is the way the world starts
Not with a whimper but with a bang

Previously there was no time
And after there will be no time
So shall we say there is no time
Like the present?

We shall.

ii:

The universe expanding cools
Time unspools
A second takes a million years then stalls
Frozen in a moment at the endstop
As any Phoenician sailor
Whose bones lie blanched in clotted mud
Could have told you
Were you proficient in Phoenician
No vowels at all — N vwls t ll
Their eviscerated secrets lie
Carapaces stranded in the silt
of time

En-tropē
As the Greeks would have had it
Had they only known about it
Had they only thought about it hard enough
Had they not been busy with other stuff
Increases
Thus at the end of time no order reigns
No energy remains
Thermodynamic equilibrium gained
True randomness attained
Nothing will ever happen
again

iii:

In the attic of the mind
We keep our jumble. The vines
The treacherous forgetful vines
Conceal what we know is there
Accumulating more each year
We fumble to find it
Stumble on the twisted root
Aha! At last we cry out
Got it this time
But shall we harbour
The energy, the labour
To find it next time?

She said
Where's that clock?
Memory appears blocked

It's here somewhere
Somewhere in this dreadful mess
Somewhere in the randomness
Infinitely increased
I'm getting slow
I know
I put it there in another aeon
Here said the old neurone
Right where it was dropped
But it's stopped.

Snapped the Norns' rope of Fate
At Ragnarok's sell-by date
Weialala leia. Wallala leialala
פֶּאֶרְמִישְׁפֶּעֶטן

iv:

At the calm point where the universe is spent
The weak point where there's no energy to turn a wheel
The absolute point where parallel lines are bent
The still point where time will finally congeal
The inert point where we will be a still fragment
What will we feel?

Nothing
For at that point there is no point.

And there is no time
Like the present.

November

Marraskuu, Finland's month of death –
the land dies for Winter
further south
purgatory
the English hinterland
a rash of ragged sighs
All Souls bedraggled

Month of mud, sad sodden leaves
dirt in the butter
damp socks – a seeping chill
a curse uttered
smell of dank wool
the year's hopes thieved
in the darkness
shrouds
of wretched rain
that stains as it passes
dishrag clouds
spreading smears
blurred drops on glasses –
may be tears

Withal, a little glow survives
to blow on
when the true cold arrives
Ice-blue skies, glinting new snow
a clean exhalation
Marraskuu – still alive, I am dying
for Winter.

November: Relict of Summer

November is no blessing
wet leaves fall, undressing
trees in the dismal dark
to bare cracked bark – stark
wrinkled hags – their grimace
a spectre of their summer face
depressing

No solace now – the rain stings
a crow on a black branch dripping –
AHH – the harsh loathing she can pour
into one echoing caw
against the windlashed wall
a widow rose, the last of all
clings

KEITH EVETTS

Keith Evetts is an alumnus of Jesus College, Cambridge, with boyhood links to Oxford. He retired after living in eight countries, and now gardens and writes poetry in Surrey.

In Defence of Oxford's Jewish Students – a reply to Messrs Shlaim, Rosenhead and Green

JONATHAN HUNTER

It was very disappointing to read the highly questionable article in the previous issue written by Avi Shlaim, Jonathan Rosenhead and Colin Green ('The Campaign against Ken Loach and St Peter's College', *Oxford Magazine*, No. 433, Fifth Week, Trinity Term, 2021).

While the article ostensibly claims to be a defence of academic freedom, one of its authors have historically voiced public support for the boycott of Israeli academia – and indeed, Rosenhead himself has been described as the 'architect' of this boycott – somewhat contradicting the principles they claim to espouse.

Far from seeking to defend freedom of expression, the article grossly misrepresents the nature of the International Holocaust Memorial Alliance's (IHRA) internationally recognised definition of antisemitism and thereby delegitimises its adoption at Oxford University, seemingly without any care for the enormous harm which

this would cause to the Jewish members of Oxford's community.

In the authors' words, the IHRA definition of antisemitism is 'fundamentally flawed' and 'grossly partisan' on the basis that it 'has been deliberately politicised by Israel's supporters so that it could be deployed to inhibit free debate and discussion on Israel'. As a result, the authors consequently allege that all complaints made to St Peter's College by Oxford University's Jewish Society and the Union of Jewish Students, for its decision to host the controversial filmmaker Ken Loach – on the basis that Mr Loach has allegedly engaged in behaviour considered to be antisemitic according to the IHRA definition – is simply part 'of a persistent attempt by Israel's aggressive defenders in this country and elsewhere to conflate anti-Zionism with antisemitism'.

In other words, the authors claim that the complaints

made of Ken Loach are purely political, without any real basis, and originate from a conspiracy of aggressive pro-Israel activists to silence Israel's critics. Such a ludicrous proposition, without any evidence put forward in its support, is to decry and dismiss the very real concerns of Jewish students at Oxford University, who have in recent months reported a significant increase in antisemitism, including reports in national media that Oxford students have made shockingly repulsive comments such as 'why don't they just wipe out those rich Jews?'

Such arguments unfortunately echo a grotesque and very obviously antisemitic conspiracy theory that seeks to paint Jewish students as agents of the Israeli government, prominently implied by Bristol University academic David Miller, who has recently been condemned by over 200 academics for 'undermining community relations in the UK' for making exactly these kinds of baseless statements.

More worryingly, the *prima facie* and wholesale dismissal of allegations of racism made by Jewish students flies in the face of the now universally accepted principle of the 1999 Macpherson report of the Metropolitan Police: that if somebody says they are the victim of racism, then authorities must investigate these claims on the preliminary assumption that the complainant is telling the truth. It is disappointing that Shlaim, Rosenhead and Green do not extend this principle to Oxford's Jewish students. Mr Loach has made highly controversial statements in the past, and if Oxford's Jewish students believe those statements to be antisemitic, then they must be taken seriously, as students from any other minority would if they made complaints of racism of any other visiting speaker.

Still, even more distressing than the authors' dismissal of the IHRA definition of antisemitism is their shameless attempt to blame the victim. The authors write 'if there was indeed a spike in antisemitic abuse, it is more likely to have come as a result of the students' attempt at no-platforming'. In other words, they blame Jewish students for bringing antisemitism on themselves – for Shlaim, Green and Rosenhead, if only these students had not opened their mouths to rightly make a complaint relating to racism, then they would not be the object of severe abuse from racists. Such arguments – which so blatantly blame the victims of racism for the oppression and harassment which they experience – are outdated at best, and the effect of which is to defend the perpetrators and culprits of racism at worst.

Ironically, despite the article's incessant condemnation of the IHRA definition, it offers few if any arguments substantively critiquing particular aspects which are allegedly problematic. Taking the article as a whole, it would appear that the authors are primarily dismissive of the IHRA definition of antisemitism as several of its non-exhaustive list of examples of antisemitism refer to Israel, which the authors single out for particular criticism. One of these examples is 'holding Jews collectively responsible for actions of the state of Israel'.

The Community Security Trust, the main communal body responsible for the physical security of the Jewish community, reported 116 antisemitic incidents during the recent conflict in Gaza. These incidents have included a convoy of motor vehicles in London waving Palestinian flags while making rape threats to Jewish women. In social media, in communities and even in the university lecture theatres, it now simply cannot be denied that the Israeli-

Palestinian conflict is cynically being used to make truly horrific antisemitic statements – and this is clearly damaging to Britain's Jews. The UK's Jewish community and the foreign policy of the State of Israel are two separate entities – and the IHRA definition rightly points out that grotesque antisemitic activism seeks to conflate the two in order to malign and victimise British Jews.

If the authors' article has but one valid lesson, it is to remind academic communities of the need to enshrine and protect the IHRA definition of antisemitism. More than ever, British Jews face vitriol, incitement and even physical attacks as a result of a rise of antisemitism. There can never be a perfect definition of an ever-changing phenomenon such as antisemitism – but the IHRA definition must be considered a rigorous, fair and thorough instrument to protect Jews from antisemitic hatred, and the authors themselves point out that it has been adopted by 85 institutions of higher education.

The claim that the IHRA definition infringes on freedom of speech is unfortunately all too often used as an excuse to defend individuals and groups who have made antisemitic comments, and is ironically most often put forward by those who have a history of supporting boycotts that totally dismiss the principle of free speech.

Freedom of speech is not a license to target and abuse vulnerable minorities. While the authors cite Article 10 of the European Convention of Human Rights (ECHR), they would benefit from reading this article in its entirety:

'The exercise of these freedoms [of speech], since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime...'

In the dreadful shadow of genocide and mass persecution, the draftsmen of the ECHR recognised that freedom of expression is a privilege which can be manipulated and abused. In a democratic society, minorities require protection and solidarity – and Oxford must never be allowed to become a hub for those who seek to disparage this principle for Jews or any other minority.

The Campaign against Ken Loach and St Peter's College — a Response

JOHN BOWERS

Let me declare where I stand on Ken Loach and the IHRA before we start; I think it was wrong for some to call for Ken Loach to be no platformed at St Peter's College (and indeed he did speak). I have no idea whether he is antisemitic. I like some of his films. I believe that Gavin Williamson was a disastrous Education Secretary who should not have been ordering universities to adopt any particular version of free speech policy and I have written on this for *Guardian.com*: <https://www.theguardian.com/commentisfree/2021/mar/05/manufactured-crisis-free-speech-universities-freedom-of-expression-legal>

BUT Ken Loach's production of the play *Perdition* caused deep and longlasting hurt amongst the Jewish community, especially Holocaust survivors and their offspring. I can see nothing anti-racist or progressive about that play. Its premise was that Jews conspired to allow other Jews to be sent to Auschwitz and involved antisemitic tropes. It was deeply offensive and arguably satisfied any definition of antisemitism. It did not need the IHRA to tick that box. Allen the playwright was quoted in the *Telegraph* of 10 February 2021 as 'describing his play as "the most lethal attack on Zionism ever written because it touches at the heart of the most abiding myth of modern history, the Holocaust. Because it says quite plainly that privileged Jewish leaders collaborated in the extermination of their own kind in order to help bring about a Zionist state, Israel, a state which is itself racist"'

Ken Loach added fuel to the fire more recently by his declaration that the 30 Labour MPs who joined the 2018 "Enough is Enough" protest against antisemitism in the Labour Party were 'the ones we need to kick out', and that claims of Labour antisemitism were 'exaggerated or false'.

I also subscribe strongly to the conclusions of the 1999 Macpherson Report into the Stephen Lawrence murder that one should listen to those who consider themselves the victims of racism. If the victims think something is racist, relevant authorities should investigate these claims on the basis that the complainant is telling the truth. This equally applies to Jews.

Messrs Shlaim, Rosenhead and Green ('*The Campaign against Ken Loach and St Peter's College*') however adopt a rather different principle in their article (indeed almost the opposite pole). As I read it, they blame those students who felt hurt, and had the temerity to complain (and they vilify those who supported them in complaining). They make the absurd claim that students standing up against antisemitism themselves provoked antisemitism (the classic technique of blame the victim).

And they implied that the students who protested were then seized upon by sinister forces. I bet it did not take you long before you have guessed who those sinister forces were; yes, it was the Zionists wot done it (or as they put

it, only slightly more elegantly, 'pro Israel organisations which are always waiting in the wings').

The truth is that Jewish students in this university and beyond (and their allies) knew that Ken Loach was a deeply controversial figure, and were aware about *Perdition*. They wanted others to know. Few major letters to the press condemning the only democracy in the Middle East in recent years have not had the support of Ken Loach. I have not however seen him condemn executions and medieval torture in the Arab world.

What was impressive on this occasion (and I think unprecedented) was the number of Oxford JCRs who straight away came out in support of the Jewish students; again they did not need any manipulation from the outside to do so and it demeans them to suggest they did (and is not becoming in career academics). This is close to the theory of David Miller, the Bristol Professor conspiracy theorist, that seeks to paint Jewish students' societies as agents of the Israeli government.

And predictably the three authors seek to weaponise this incident to attack their favourite target: the IHRA definition of antisemitism. There is, I accept, no perfect definition of antisemitism but the IHRA is not a bad one, and has been adopted by many organisations, including latterly the Labour Party. I completely accept the right to criticise the policies of the Israeli government and I am at the forefront of doing so, but the IHRA definition does not restrict this, when properly understood. It only restricts use of antisemitic tropes in doing so.

Some of the vicious anti Israel rhetoric (which is now rife on the web and sadly increasingly on the streets) is so extreme that it shades into antisemitism and it is right that this is captured by the IHRA definition. For example, those who shouted abuse at Jews in North West London during the Gaza conflict did not draw any fine boundaries.

So I say to the three Professors: stand up for free speech, but don't undermine our students and don't blame the Zionists.

Ken Loach, Antisemitism and the International Holocaust Remembrance Alliance Definition

RUTH DEECH and PAUL BOGDANOR

It was dismaying to read the Fifth Week HT article attacking the International Holocaust Remembrance Alliance (IHRA) definition of antisemitism, dressed up as a defence of Ken Loach's recent appearance at St. Peter's College. Following the emergence of renewed violence in the Middle East in May, antisemitic incidents in the UK (which have never gone away) shot up by 320%. Jewish neighbourhoods and synagogues have been vandalised and Jews, including university students, openly abused and harassed in shocking numbers. Jewish students have called for the protection offered by the IHRA definition. It is supported by mainstream Jewry, albeit that in every generation there are those who internalise the antisemitism heaped on them, and some who fall into the McCarthyite trap of having to label themselves as "good" Jews ready to condemn Israel, and "bad" Jews who support their own self-determination.

There are two interlinked contestable issues in that article. One is in relation to Loach's alleged antisemitism and the other is the alleged chilling effect of the IHRA definition.

Shlaim *et al* assert that Loach is anti-Zionist but in no way antisemitic. His record, they insist, contains 'not a scintilla of evidence of anti-Jewish racism.' The following is relevant to assessing this claim:

In 1987 Ken Loach was to direct the play *Perdition* by Jim Allen. The play's focus was what Allen called 'the most abiding myth of modern history, the Holocaust.' The theme of the play, as summarised by Allen, was that 'privileged Jewish leaders collaborated in the extermination of their own kind in order to bring about a Zionist state, Israel, a state which is itself racist.' This claim, which attacks Jews, not just Zionists, is antisemitic, not only by the IHRA definition, but by any definition that has yet been proposed.

Jewish community bodies – including the Board of Deputies of British Jews, the Institute of Jewish Affairs, the Anglo-Jewish Association, and the Union of Jewish Students – agreed that the play was antisemitic and denounced it as such. The script, which had to be rewritten several times because it was so inaccurate and offensive, was full of antisemitic tropes and rhetoric, some copied straight from the Soviet Union's antisemitic propaganda campaign at the time: 'the Zionist knife in the Nazi fist'; 'Israel was coined in the blood and tears of Hungarian Jewry'; 'all-powerful American Jewry' amongst others.

The play was cancelled after a public scandal because the Royal Court Theatre's artistic director lost confidence in its historical veracity. Nevertheless Loach insisted that the play had been banned thanks to pressure from leading Jews, whom he described as people who can 'buy their own way.' Loach was clear that his reason for becoming

involved in the play in the first place was to reapportion guilt for the Holocaust in order to diminish public sympathy for the State of Israel. As his letter in the *Guardian* of 8 March 1989 said: '*Perdition* was stopped because it criticised Zionist leaders in Budapest for co-operating with the Nazis in sending half a million Jews to the camps. Today we are wary of criticising Israel because of our feelings of horror and guilt at the atrocities committed against the Jews. If the Hungarian incident is examined, that inhibition may be lessened.' This contention is akin to the strategic denial of demonstrable antisemitism witnessed at "pro-Palestinian" protests in recent months. The innocent victims in the Israel-Palestine conflict deserve far less hate-filled allies than him.

Hence there is every right to be wary of Loach's influence, although there is still a strong case for not forbidding him to speak. He was expelled from the Labour Party in August.

The delegitimisation by Shlaim *et al* of the best tool to protect Jews from the alarming, year-on-year rise in antisemitism is irresponsibly selective, and dangerously politicises hatred against Jews. The IHRA definition is the result of years of careful deliberation by scholars, experts and parliamentarians and has now been adopted by at least 35 countries, including the UK, and about 450 organisations, including this University, who recognise the need to define antisemitism in all its pernicious guises in order to fight it. Are we to assume that Shlaim *et al* consider all those organisations to be gullible dupes of Israel's supporters? Would it not be more reasonable to conclude that a tiny minority of vociferous Israel-haters are upset about the near universal adoption of the IHRA definition because of their own history of promoting antisemitism? Contemporary hatred of Jews is strategically and intentionally camouflaged as legitimate criticism of Israel. Anyone witnessing recent global demonstrations featuring ubiquitous conflation of Nazi Germany and Israel cannot deny this – any more than they can deny that Jews everywhere are being held collectively responsible for the actions of the Israeli government, including at knifepoint.

The adoption of the IHRA definition was never meant to stymie legitimate debate on Israel and Palestine, nor has it. Indeed, there is hardly an issue which garners more obsessive attention on campuses, by comparison with alleged genocide victims in Xinjiang province and Africa, and mass killings in Syria. What it is intended to do is to allow public authorities credibly to draw a line between respectful debate and the kind of antisemitism long professed by certain self-proclaimed anti-Zionists.

Shlaim *et al* claim to be championing "academic freedom and free speech". The major threat to academic freedom and freedom of speech in this context is the BDS

campaign against Israeli academics, supported by Rosenhead. This only shows that their deployment of the free speech argument is a cynical and selective stunt.

Freedom of speech in English law is circumscribed by many laws: incitement to racial and religious hatred, obscenity and others. The IHRA definition usefully draws the line between what is permitted (e.g. debate about Israeli politics) and what is unlawful, for example equating Israeli policy with Nazism or accusing Jews of exaggerating the Holocaust, clear examples of racism. Why is IHRA necessary? Because no other group has been so singled out for attack on campus and in society generally, not just since the establishment of Israel but over millennia. If Muslim

students were subjected to the same treatment as Jewish students recently there would be swift national condemnation, not least in the *Oxford Magazine*.

Quite rightly the collegiate University is obliged to combat antisemitism and uphold the public sector equality duty imposed on it by the Equality Act. Recent events (bans or attempted bans of John Finnis, Amber Rudd, Selina Todd, Alice Weidel, Steve Bannon and reading lists, the resignation of Rashmi Samant and the Gaza protests in Oxford) illustrate the importance of drawing the line between free speech within the law and speech that offends against the law. The forthcoming Higher Education (Freedom of Speech) Bill will re-ignite that debate.

A Reply to our Respondents

AVI SHLAIM and JONATHAN ROSENHEAD

It is stimulating to be offered these comments, amounting as they do to twice the length of our article. But the *Oxford Magazine* has asked us not to be equally expansive in this reply, so we are forced to be selective in our response.

We will therefore, after only some limited reactions to particular points made by others, focus in the main on just one contribution, that by Baroness Ruth Deech and Paul Bogdanor.

Antisemitism used to be well understood as “discrimination, prejudice, hostility or violence against Jews as Jews (or Jewish institutions as Jewish)” – to quote the *Jerusalem Declaration on Antisemitism*. The IHRA definition, by contrast, has attempted to extend antisemitism to cover critical statements about Israel and its actions. The tireless promotion of this revisionism has without doubt alarmed many Jews about the threat to them of antisemitism, by exaggerating it.

Our original article of course was prompted by the campaign among Oxford JCRs to prevent Ken Loach from speaking, and to censure St Peter’s for hosting the event. The IHRA definition of antisemitism was cited as authority for this attempted censorship. John Bowers in his more even-handed response declines to express an opinion on whether Loach is antisemitic, but rather describes Loach as ‘deeply controversial’. This adjective seems to be based on his repeatedly expressing views about Israel that the BBC and the *Guardian* generally decline to provide space for. But it is worth recalling that those who in the 1960s and onwards called for boycott and sanctions against South Africa were similarly treated as extremists, because they were outside the consensus. Human Rights Watch and the leading Israeli NGO B’Tselem have both in recent months described Israel as practicing apartheid. Ken Loach has been enunciating truths that others find inconvenient.

Jonathan Hunter clearly disagrees with boycotts of Israel. Does he also disapprove of the boycott (sporting, academic, eventually diplomatic and financial) that hastened the end of South African Apartheid? He asserts, erroneously, that the academic boycott of Israel that one of us supports is a restriction on the academic freedom that we cherish. (Baroness Deech and Mr Bogdanor make the

same mistake). Unlike the boycott of South Africa, it is a boycott only of institutions, not of individuals.

There is space here only to pick up one of Hunter’s other assertions. He is incorrect about the Macpherson Report into the murder of Stephen Lawrence. His claims that this found that “if somebody says they are the victim of racism, then authorities must investigate these claims on the preliminary assumption that the complainant is telling the truth”. What Macpherson actually says is that all complaints about incidents of racism should be recorded and investigated as such, when they are perceived by the complainant or someone else as acts of racism. The comparison between the two formulations suggests that the assumption of truth-telling has been supplied by Hunter, not by Macpherson. We believe that in many cases the people making complaints, e.g. about Ken Loach’s words, do believe them to be antisemitic. There can be no presumption, though, that this view, fuelled in many cases these days by alarmist and extravagant rhetoric, should be given priority over the facts.

Sadly, giving even this selective reply to three of our respondents means we have less space than we would wish to respond to the article from Ruth Deech and Paul Bogdanor. Their contribution is hyperbolically alarmist. But before we get to that, we need to point out to readers that their first paragraph is *ad hominem*. Though their language is implicative rather than direct, it asserts that we are so anxious to curry favour with antisemites that we will internalise their views and are therefore essentially self-hating Jews.

Attempting to smear those you disagree with is a well-known and disreputable strategy, but sadly one much used by supporters of Israel. It aims at the deflection of the argument onto “are the authors vile creatures?”, rather than “is what they are saying true or false?”. Deech and Bogdanor should realise that unanimity among British Jewish communal organisations is not the same as unanimity among British Jews. One organisation they cite that has a claim to a sort of representativity, the Board of Deputies, is overwhelmingly dominated by ‘deputies’ routinely re-selected by synagogues – while 50% of British Jews have no synagogue membership. To assert that all Jews think the same (and that any who think otherwise

are suffering from some peculiar deformation of the spirit) is – yes, antisemitic. Because the essence of antisemitism is the view that all Jews are the same and can be treated as a category.

Apart from dismissing us as suffering from some form of psychological disorder, the Deech/Bogdanor argument amounts to a quite distorted view of the UK society we all live in. Antisemitism rates, they say, are shooting up; Jewish neighbourhoods and synagogues have been vandalised; Jews have been openly abused and harassed; demonstrable antisemitism has taken place at “pro-Palestinian” protests (note the scare marks). Nearly all these statements are true – these things have happened – but the resulting picture is seriously unbalanced. The current levels of antisemitism in the UK are dwarfed by Islamophobia and anti-black racism.

Yes, probably all Jews have encountered overt antisem-

itism in this country. But for nearly all of us it is a rare event rather than a daily or even an annual experience. Comparative studies show that UK levels of antisemitism are consistently at the low end of the European scale. The extent of often unacknowledged prejudices about Jews as Jews (e.g. ‘good with money’; ‘sticking together’, etc) is considerable, but held by people who mostly have no idea of their antisemitic significance, and certainly pose no threat of any kind to Jews. Overt antisemitism is going up but is still at historically low levels.

What is true is that there is a significant rise in far-right, overtly fascist, organisation in this country (as in the US and elsewhere). We should be aware of this rising threat and prepared to respond to it as part of a comprehensive anti-racist struggle. But the IHRA definition would be useless as a defence. These far-right people predominantly think Israel is wonderful.

Further consideration of the recent article “The Campaign against Ken Loach and St Peter’s College” (Oxford Magazine, No. 433, 5th Week, TT 2021) is now ended - eds

No Man’s Island

For Carmen Bagan

*Vnder the water wenten everychone
Myself except knowe I no sauf persone
O engelond stande vpright on thi feet*

I Return to Ithaca

I could pass happily now watching the sea
cut a deal with the sky, diagonal waves
reach to the blanched horizon, green hands dividing
the spoils with the kindled air russet and blue
pass peacefully knowing the deep would be waiting.

Self-pleasing kingdom eyebrow-deep in your fears
too shrewd for rashness too erect for anger
dispraising friends whose fragments lie divided
under windbent thistles in untaged graves
bits of men and paper in time’s slough.

Afloat where others sank listening for voices
I sipped the nectar of rewardless pride
and smelled the blossom absent from all bouquets
studying the seabirds that endure and rejoice.
Bound to my task like pages in a volume

I forged an epos youth will never construe.
Riddled with craving now as conjunction nears
I slough off honours pinned by the king of men
trusting my shower will hiss less chill a greeting
as I remember all the wrong things.

II Quare tristis incedo

Spotted foxgloves spill from the frayed cliff
through complicating fern as the complexion goes
like evening-red from this island’s sick rose.

Bean-flowers wrinkled in sudden spring heat
where you beckoned me after you with uncared feet
to the edge, not impotent yet just alert.
*Virginal may broidered on spotless lapis
along the graves snows blossoms rank as cat’s piss
souring the milky ways of massy stitchwort.*

Does every son wish he was virginally begotten
fingering through decades that resentful riddle?
Mine blames his father for stealing from his cradle.

*See on our iceberg-tower how sanguine-tinted
honeysuckle tongues flicker through the immaculate
green...* It flowered even though I could not make it –

fattening my files till a pregnant decade delivered...
*While I measured Eros, dummy of bespoke desiring,
to breech his excoriate rear, the cave of cunning.*

Why do these high-browed pram-dads push their offspring –
a-gape like mine to wag strange digital tongues?
Panta rhei! *Ours pants his truth in songs.*

No recognition for my defensive pose
satisfaction from rivals stripped of their clothes
surcease for limbs in darkness soon to be stiff.

III Quare tristis es anima mea

Not from your whispered Go but from sharp tears
rising under long-fingered phrases whose bidding power
stands unforgotten, I understood how you had drifted
to terminate in a poem after twenty years.
Hearing your voice on an antique tape-recorder
wrestling with furies lying nightly I wrought
out of pure want my abstinence’s charter.
Clingy Calypso, white-plimsolled Nausicaä

bouncing her ball, Circe in ten denier
flourishing papillae in punctilious flower
while I floundered in brine that brought cold news
floods that whispered no augury of fruition
abjectly sure our souls had grown contorted
like fire shadows past recognition.

IV *Midnight Exchange*

Pure want is tomorrow's synonym for greed
pale proxy for a ripple of invidious motion
whipped into tidal frenzy by spousal fire
crying and crackling beneath the ridge of being.

*Did you want my pain, then, as forbearance spilled
like an upturned krater, coaxing from bruised desire
the wan resurgence of some pneumatically willed
need, pumped hard to vent and be made void?*

What of my pain as I laboured to deliver
hard progeny from perplexity's ocean
pillaging our union's proud and timorous fullness
for unbleached truth, keeping a grip on nothing?

*A truce, for truth, time to unravel those hours
of lying fed by pain in the place of pleasure.*

V *Walking in birchwoods with a poet-son*

Our boy would never have duped the wounded bowman,
have woven rather that fetid plaint into verses
to his honour, if not mine. No bending boughs
for lads who trick themselves in a lyre's phrases.

*His father prefers blue irises to sunflowers
but I exult in the fool's-gold of his birth-month's
fondly learned, loveably childish plant-names –
daffodil, celandine, forsythia, primrose...*

His father after a killing day would dream
the enraged bloodthirsty dead swarmed round his cell
mouthing in rancorous files, then fall a-doze
and wake wet, a mother's mouth on his fear.

*Yet son and sire hug these intemperate breezes
that falsify the April forenoon's gleams
with softly tentative rain-scented sirens'
raven-insistent antiphon... Never more.*

VI *Over Closeness*

Was it our over-closeness wove this curtain
of stiff webbing over which we could not stare,
through which we could just peer
at pores of stretched skin, glands, teeth on a screen?

Vnder the water wenten everychone

Our midwife frowned watching the thin drops failing
out of these flaunted breasts. Had you loved *one*
could I have better endured it? So I bleated:
wrath of the lamb under necessity's blade.

My self except knowe I no sauf persone

I speak for the years, watching you fiddle your phone,
my broad-backed runner lime-green and antique blue
grown legendary under the sodium-amber lamp-glare
unimprovable, consummately alien.

Vnder the water wenten everychone

Mount my stair, then, spooning the salt from your tongue
to tantalise mine, that has never touched another's.
Let nearness borrow enchantment from a view
that tells just truth, but falls just short of certain.
My self except knowe I no sauf persone

Seas strike my ribs, coloured like envy's iris.
Remorse lays hands on my throat as you are speaking –
still alabaster to my degenerate hubris.
Your tears will dry, love, mine need time to flow.

*Vnder the water wenten everychone
My self except knowe I no sauf persone.*

Main Epigraph: quotations from *Jereslaus' Wife* 916-17 and
Regiment of Princes 537 by Thomas Hoccleve.
Epigraphs to II and III: quotations from Vulgate Psalm 41: 10, 6.

CARL SCHMIDT

Carl Schmidt was formerly Senior English Tutor and is now Emeritus
Fellow at Balliol College, Oxford. His last book was *Passion and
Precision: Collected Essays on English Poetry from Geoffrey Chaucer to
Geoffrey Hill* (2015).

The IHRA definition

Sir – The IHRA definition of antisemitism, which Avi Shlaim, Jonathan Rosenhead and Colin Green so bitterly criticise (*Oxford Magazine*, No. 433), sets out examples of acts, whether verbal or physical, that can in some circumstances be antisemitic. The experience of Jewish students in the UK (65 antisemitic incidents were reported on college campuses in the academic year 2019–2020, even though the year was truncated by the pandemic) fully justifies the letter* to the *Guardian* signed in January by 95 representatives of Jewish student organisations:

‘[I]t is university Jewish societies across the country and the Union of Jewish Students, which represents 8,500 students, that have long been campaigning in good faith for our universities to adopt this [the IHRA] definition.

We have done so because we seek to protect Jewish students and not the government of the State of Israel ...

The IHRA definition acknowledges that antisemitism can be subtle, and our experience confirms this. The abuse we face is often cloaked in political discourse...

We believe that this definition affords Jewish students the best possible protection, and we are the people best equipped to make that judgment.’

What makes Shlaim, Rosenhead and Green feel they are entitled to deprive Jewish students of the protection they have asked for and so evidently need?

Yours sincerely
MICHAEL YUDKIN
Kellogg

*Letter published in the *Guardian* on 22nd January 2021: <https://www.theguardian.com/news/2021/jan/22/jewish-students-are-protected-by-the-ihra-definition-of-antisemitism>

The climate emergency: facing reality

Sir – At the conclusion of the powerful and shocking BBC documentary, *Extinction: The Facts*, David Attenborough offers humanity a reason for retaining hope for the future:

“...if we make the right decisions at this critical moment, we can safeguard our planet’s ecosystems, its extraordinary biodiversity and all its inhabitants. What happens next, is up to every one of us.”

This eloquent and aspirational message is wishful thinking.

Despite notable progress in the development of renewable sources of energy, most human activities remain dependent on fossil fuels. This holds true, directly or indirectly, across the board: from motorised travel and goods freighted by land, sea and air; building and infrastructure projects; military defence; plastics manufacture; deforestation (for animal grazing, crop growing and burning wood); non-vegetarian diets; clothing manufacture; human population increases and the carbon-rich lives of the world’s wealthiest.

Fossil fuels have contributed to improved standards of living for the world’s burgeoning population. However, they have also resulted in the relentless addition of greenhouse gas emissions, particularly carbon dioxide, into the atmosphere. Of growing and greater concern is that in the tundra and polar regions, temperatures are rising much faster than the global average, causing ice caps to melt and the release of the far more potent methane gas.

The escalating global concentration of these emissions is the primary cause of increasing temperatures, sea level rises and ocean acidification and, therefore, the deteriorating habitability of the planet. COP 26, the UN Climate Change Summit, is predicated on the assumption that the concentration, higher than at any point for over a million years, will rise from today’s level of 414 to 450ppmv ppmv (parts per million by volume) by 2050. International climate change policies, natural limits to growth, and the negative effect of Covid-19 on world economic activity will reduce emissions to below their present level. However, reductions in the concentration will not start until the safe level is down to at least 350 ppmv, which the US Earth System Research Laboratory (<https://www.esrl.noaa.gov/gmd>) has established was the level at the start of the Industrial Revolution. Decarbonising the world’s economies by replacing fossil fuels with some energy derived from electricity generated through renewable sources cannot be enough. Whether rising or falling, global emissions only affect the rate of increase in the concentration – any fossil fuel use just adds to that concentration. Clearly, there is a vast

chasm between a safe level and the current emissions reduction target.

Furthermore, G20 countries which at present are responsible for 80% of carbon emissions would need to raise their declared share of contributions to reach the global target of zero emissions by 2050 if some countries are unable or who do not agree to do so. For the same reason, the annual \$100bn dollar commitment to developing countries to provide for mitigation and adaptation to unavoidable climate change would also have to be increased.

Significant reductions are possible by utilising the technology of Combined Capture, Utilisation and Storage (CCUS), in which emissions are captured largely from fossil-fuel power station chimneys, and transferred by pipeline, ship or land transport into deep geological formations for safe sequestration. That would demand their successful commercial application on a global scale, with minimal energy used at every stage of the process. No evidence exists of that ambitious goal being able to be achieved within the foreseeable future. The costs of removing vast quantities of CO2 from the global atmosphere for 30 years, rather than just from power stations, are likely to be way in excess of even the combined budgets of national economies.

Additionally, ecosystems would have to play a critical role. Priority would need to be given to ensuring extensive protection of existing natural forests. The commodification of forests would also need to stop, for example by ending support for bioenergy. Electricity generated by burning wood pellets from large scale deforestation currently attracts the lion’s share of subsidies for renewable energy, although it requires energy-intensive practices at all its stages.

Extensive tree planting with native, high carbon-retaining species, based on ecological principles, would be required on an unprecedented scale. It could not be on unsuitable land, nor on land used for food production. It would also be counter-intuitive to plant in existing forests. At present, most tree plantations are monocultures of fast-growing species such as eucalyptus. They contribute little to biodiversity, drain the water table, and often combust before maturity, exacerbating fire risk in adjacent natural forests.

It is futile to ignore these realities, and misleading when government scientific advisers encourage public complacency by endorsing CCUS and tree planting as the primary remedial measures to combat climate change. Given the near-insatiable drive for higher living standards, the evolutionary power of selfishness and the survival instinct, it is delusional to pin hopes on the effectiveness of these measures. The planet’s limits have been so far exceeded that it is futile to be optimistic about a future without end. Governments must forget about reduction plans: the cessation of fossil fuel usage is the only possible first course of action. The longer this is ignored, the more shattering will be the reality.

So, what are the options now?

Is there to be a fundamental change in perspective? Rather than a species in charge of its destiny, can we not accept that the effects of climate change go to the heart of continuing human existence? Covid-19's high stakes have shown that people are prepared to accept, albeit reluctantly, fast and radical changes to their lives. If governments harness this willingness to adapt, decline can be managed with dignity and humanity and more life extended for as long as terrestrial ecosystems allow.

The alternative prospect is of a chaotic and, ultimately, barbaric future, involving obliteration of our last natural habitats in an unprecedented scramble for the planet's residual resources.

Yours sincerely

DR MAYER HILLMAN

London

Oxford Nanopore

Sir—Many readers will be aware of the outstandingly successful Stock Market flotation of Oxford Nanopore Technologies, making the company worth some £5 billion and benefitting the University by about £50 million. The company was a spin-out from the Department of Chemistry under the deal set up to fund the new Chemistry Research Laboratory. It is something of major importance about which we should be very proud.

However, there is no mention of this on the University web site, nor on that of the Chemistry Department. An email to the Vice-Chancellor on the topic did not even receive a reply. I cannot believe any other University here or in the USA would make so little of such an achievement.

Yours sincerely

GRAHAM RICHARDS

Oxford

Reuben College and disruptions to world-leading interdisciplinary research at Oxford

Sir—I am the first to applaud the aspirations and motivation behind Reuben College—Oxford's newest college—in promoting and embracing multidisciplinary collaboration. This salutation is easy for me, having enjoyed the many positive aspects of this philosophy whilst a Fulbright Scholar at Cornell and subsequently one of the Founders of the UK's first-ever Interdisciplinary Research Centre, that in superconductivity, in Cambridge.

Throughout my career, I have had the great fortune to benefit from natural inter-

disciplinary research, having collaborated and published with 4 Nobel Laureates, John B Goodenough and Roald Hoffman (Chemistry Prize), Sir Nevill Mott (Physics Prize) and Sir John Houghton (Peace Prize).

All these collaborations involved critical contributions of remarkable graduate students and postdoctoral fellows in the individual disciplines, as where “...some of the most spectacular ideas can come from early career researchers” (P. P. Edwards “Interdisciplinary research at Oxford,” *Oxford Magazine*, Noughth Week, Trinity Term, 2019, p4).

So it is with great sadness—and absolute dismay—that I record here that the academic advancement of my four DPhil students is now severely compromised due to the continuing Reuben College work in the Inorganic Chemistry Laboratory.

This is due to the fact that key laboratory equipment must now be moved—at very short notice—into wholly unsuitable and dangerously overcrowded laboratories to make way for the Reuben College development. This adds to yet-more major disruptions to their studies in a final year of an already massively-delayed schedule; dedelayed—by Covid—through no fault of theirs, or mine.

Understandably, this is giving heightened levels of stress and anxiety in my DPhil students, and my own growing concerns as to their physical and mental health and well-being.

And what a shame, also, that their world-leading interdisciplinary research in two of humankind's greatest challenges is now in jeopardy; namely, the decarbonisation of fossil fuels (“Researchers unveil new method for converting CO₂ into jet fuel”, Dalvin Brown, *The Washington Post*, December 31, 2020) and the deconstruction of plastics-waste to yield high-purity hydrogen and high-value carbon nanomaterials (“Microwaves could turn plastic waste into clean hydrogen fuel”, Tom Whipple, *The Times*, October 17, 2020).

As well as wholeheartedly supporting major initiatives such as Reuben College, this University has an equally-important duty-of-care to support those whose education and careers are disrupted by such developments. It is abundantly clear that this is not occurring in the case of my young DPhil students from overseas.

Yours sincerely

PETER P EDWARDS

Oxford

CONTENTS

No. 436 Second Week Michaelmas Term 2021

EJRA crunchtime B.B., T.J.H	1	In Defence of Oxford's Jewish Students — a reply to Messrs Shlaim, Rosenhead and Green JONATHAN HUNTER	11
The European Year of Languages 2001 and The Oxford Language Race 20 years on ROBERT VANDERPLANK	3	The Campaign against Ken Loach and St Peter's College — a Response JOHN BOWERS	13
EJRA: the current 10-year Review G.R.EVANS	5	Ken Loach, Antisemitism and the International Holocaust Remembrance Alliance Definition RUTH DEECH AND PAUL BOGDANOR	14
What next in the EJRA saga — a college view DAVID PALFREYMAN	8	A Reply to our Respondents AVI SHLAIM AND JONATHAN ROSENHEAD	15
Can the Vice-Chancellorship become Fit for Purpose? PETER OPPENHEIMER	9	Letters	18

CONTRIBUTORS TO THIS ISSUE

• Robert Vanderplank is an Emeritus Fellow of Kellogg College and former Director of the Language Centre. • G.R. Evans was Professor of Medieval Theology and Intellectual History at Cambridge • Peter Oppenheimer is a Student of Christ Church • Jonathan Hunter is a graduate of Brasenose College, Oxford. He is a former member of the National Council of the Union of Jewish Students. • John Bowers is a QC • Ruth Deech is a Crossbench Peer and former Principal of St Anne's College • Paul Bogdanor is an author and researcher, graduate of Christ Church • Avi Shlaim is Emeritus Professor of International Relations at the University of Oxford. • Jonathan Rosenhead is Emeritus Professor of Operational Research at LSE •